

07-03-00

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## REISSUE LITIGATION

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PTO/SB/50 (4/98)

Approved for use through 09/30/2000. OMB 0651-0033

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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JC 836 U S PROJC 836 U S PRO  
09/613154  
06/30/00

## REISSUE PATENT APPLICATION TRANSMITTAL

Address to:  Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	Attorney Docket No.	20238.2RE
	First Named Inventor	Larson
	Original Patent Number	5,979,350
	Original Patent Issue Date (Month/Day/Year)	11/9/1999
	Express Mail Label No.	EL588979067US

APPLICATION FOR REISSUE OF:  
(check applicable box)  
 Utility Patent     Design Patent     Plant Patent

APPLICATION ELEMENTS		ACCOMPANYING APPLICATION PARTS	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (PTO/SB/56) (Submit an original, and a duplicate for fee processing)	7. <input type="checkbox"/> Foreign Priority Claim (35 U.S.C. 119) (if applicable)		
2. <input checked="" type="checkbox"/> Specification and Claims (amended, if appropriate)	8. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations		
3. <input type="checkbox"/> Drawing(s) (proposed amendments, if appropriate)	9. <input type="checkbox"/> English Translation of Reissue Oath/Declaration (if applicable)		
4. <input checked="" type="checkbox"/> Reissue Oath / Declaration (original or copy) (37 C.F.R. § 1.175)(PTO/SB/51 or 52)	10. <input type="checkbox"/> Small Entity Statement(s) <input checked="" type="checkbox"/> Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)		
5. Original U.S. Patent <input checked="" type="checkbox"/> Offer to Surrender Original Patent (37 C.F.R. § 1.178) (PTO/SB/53 or PTO/SB/54) or <input type="checkbox"/> Ribboned Original Patent Grant <input type="checkbox"/> Affidavit / Declaration of Loss (PTO/SB/55)	11. <input type="checkbox"/> Preliminary Amendment		
6. Original U.S. Patent currently assigned? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If Yes, check applicable box(es)) <input type="checkbox"/> Written Consent of all Assignees (PTO/SB/53 or 54) <input checked="" type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney	12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)		
	13. <input checked="" type="checkbox"/> Other: See Attachment to PTO/SB/50 (4/98) ..... ..... .....		
<b>NOTE FOR ITEMS 1 &amp; 10: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).</b>			

14. CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label	<input type="text"/> (Insert Customer No. or Attach bar code label here)			or	<input type="checkbox"/> Correspondence address below
Name	Carl M. Napolitano, Ph.D. Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.				
Address	P.O. Box 3791				
City	Orlando	State	FL	Zip Code	32802-3791
Country	US	Telephone	407-841-2330	Fax	407-841-2343

NAME (Print/Type)	Carl M. Napolitano	Registration No. (Attorney/Agent)	37,405	
Signature	<i>Carl M. Napolitano</i>		Date	6/30/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

## REISSUE APPLICATION FORM

Approved for use through 9/30/00. OMB 0651-0033

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION FEE TRANSMITTAL FORM					Docket Number (Optional) 20238.2RE			
Claims as Filed - Part 1								
Claims in Patent	For	Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity		
				Rate	Fee	Rate	Fee	
(A) 49 (C) 7	Total Claims (37 CFR 1.16(j)) Independent Claims (37 CFR 1.16(i))	(B) 49 (D) 7	**** 0 = x \$ ____ = 0 * 0 = x \$ ____ = 0			or x \$ ____ = x \$ ____ =		
Basic Fee (37 CFR 1.16(h))					\$345		\$	
Total Filing Fee					\$345	OR	\$	
Claims as Amended - Part 2								
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	***	MINUS	**	* = x \$ ____ =		or x \$ ____ =		
Independent Claims (37 CFR 1.16(i))	***	MINUS	*****	= x \$ ____ =		x \$ ____ =		
Total Additional Fee					\$ 0	OR	\$	
<p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.  ** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.  *** After any cancelation of claims  **** If "A" is greater than 20, use (B -A); if "A" is 20 or less, use (B - 20).  ***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p>								
<p><input checked="" type="checkbox"/> Please charge Deposit Account No. 01-0484 in the amount of \$345.00.  A duplicate copy of this sheet is enclosed.</p>								
<p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. 01-0484.  A duplicate copy of this sheet is enclosed.</p>								
<p><input type="checkbox"/> A check in the amount of \$ _____ to cover the filing / additional fee is enclosed.</p>								
<p><u>9/20/00</u> Date</p>								
 Signature of Applicant, Attorney or Agent of Record								
<p>Carl M. Napolitano, Ph.D. Typed or printed name</p>								

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

07-03-00

A / ReIssue  
Box VIDEO  
**REISSUE LITIGATION**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Patent Application  
for Patent No. 5,979,350 of:

BORDEN M. LARSON ET AL.

Serial No. 09/036,826

Filing Date: March 9, 1998

Issue Date: November 9, 1999

For: WATER SPORT TOWING APPARATUS  
AND METHOD

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

APPLICATION FOR REISSUE

Pursuant to 35 U.S.C. §§251 and 252, Applicant hereby requests consideration of the enclosed corrections to the above-referenced issued patent. Included herewith are:

1. Reissue Patent Application Transmittal (PTO/SB/50).
2. Reissue Application Fee Transmittal Form (PTO/SB/56).
3. Reissue Application Declaration by the Inventor (PTO/SB/51).
4. Reissue Application Declaration by the Assignee (PTO/SB/52).
5. Single column format copy of issued U.S. Patent No. 5,979,350, including amendment regarding cross-reference to related application.
6. Offer to Surrender Patent.
7. Certificate Under 37 CFR § 3.73(b).
8. Statement Under MPEP 1442.02 Regarding Concurrent Litigation
9. Transmittal of Information Disclosure Statement (including cited references).
10. Request for Transfer of Drawings.
11. Petition to Correct Inventorship Pursuant to 37 CFR § 1.324.

**REISSUE LITIGATION**

12. Joint Declaration of Borden M. Larson and William N. Snook in Support of Correction of Inventorship Under 37 CFR § 1.324.

13. Declaration of Robert Todd in Support of Correction of Inventorship Under 37 CFR § 1.324.

14. Consent of Assignee to Correct Inventorship Pursuant to 37 CFR § 1.324.

15. Assignment.

16. Exhibits:

A. Certificate of Correction documents filed for U.S. Patent No. Des. 409,972 to correct inventorship (20 pages).

B. Copy of U.S. Patent No. Des. 409,927 (3 pages).

Also included is authorization for fee payments for the Reissue Application (\$345.00), Petition to Correct Inventorship (\$130.00), and Recording of Assignment (\$40.00) to be charged to Deposit Account No. 01-0484. The Commissioner is authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

**IN THE SPECIFICATION**

The Specification, including the originally issued claims, is included herewith in single-column format. No additions or deletions are to be made to the Specification as issued, with the exception of the claim to priority presented in added section "Cross-Reference to Related Application."

Respectfully submitted,



Carl M. Napolitano, Ph.D.

Reg. No. 37,405

Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.

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Orlando, Florida 32802

(407) 841-2330

Agent for Applicant

**REISSUE LITIGATION****ATTACHMENT TO PTO/SB/50 (4-98) - OMB 0651-0033**

OTHER ACCOMPANYING APPLICATION PARTS INCLUDE THE FOLLOWING:

- Statement Under MPEP 1442.02 Regarding Concurrent Litigation
- Request for Transfer of Drawings
- Petition to Correct Inventorship Pursuant to 37 CFR § 1.324.
- Joint Declaration of Borden M. Larson and William N. Snook in Support of Correction of Inventorship Under 37 CFR § 1.324.
- Declaration of Robert Todd in Support of Correction of Inventorship Under 37 CFR § 1.324.
- Consent of Assignee to Correct Inventorship Pursuant to 37 CFR § 1.324.
- Assignment to *Correct Craft, Inc.* from Borden Larson, William N. Snook and Robert Todd with Recordation Cover Sheet Attached.
- Appendix A to Petition to Correct Inventorship Pursuant to 37 CFR § 1.324 including paperwork and Petition to Correct Inventorship Pursuant to 37 CFR § 1.324 for Design Patent No. 409,972.
- Appendix B: Copy of U.S. Patent No. Des. 409,927

REISSUE LITIGATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Patent Application for Patent No. 5,979,350 of:

#3

BORDEN M. LARSON ET AL.

Serial No. 09/036,826

Filing Date: March 9, 1998

Issue Date: November 9, 1999

For: **WATER SPORT TOWING APPARATUS AND METHOD**

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REQUEST FOR TRANSFER OF DRAWINGS**

Applicant for reissue hereby requests transfer of the official drawings contained in the file of the above-identified Patent No. 5,979,350 to the present application for reissue.

Please charge all costs incurred by reason of the above request to Deposit Account No. 01-0484.

Respectfully submitted,

  
Carl M. Napolitano

Carl M. Napolitano, P.H.D.

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Agent for Applicant

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that the foregoing is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to the Assistant Commissioner for Patents, Washington D. C. 20231, Express Mail No. E1588979067US, this 30<sup>th</sup> day of June, 2000.



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# REISSUE LITIGATION

## CERTIFICATE OF EXPRESS MAILING

I hereby certify that the foregoing is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to the Assistant Commissioner for Patents, Washington D. C. 20231, Express Mail No. EL588979067US,<sup>613154</sup> this 30<sup>th</sup> day of June, 2000.

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06/30/00

